

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

VS.

MAURICIO CHAVEZ, GIORGIO
BENVENUTO and CryptoFX, LLC,

Defendants.

CBT Group, LLC,

Relief Defendant.

CIVIL ACTION NO. 4:22-CV-03359

JUDGE ANDREW S. HANEN

RECEIVER'S UNOPPOSED MOTION TO EMPLOY PUGH ACCARDO LLC

John Lewis, Jr., as the Court-appointed Receiver in the above-referenced action, respectfully moves the Court for an order approving the retention of Pugh Accardo LLC to serve as the Receiver's local counsel in the State of Louisiana in this matter. In support of this Motion, the Receiver states the following:

1. On September 19, 2022, the Securities and Exchange Commission (“SEC”) filed a Complaint against Defendants Giorgio Benvenuto, Mauricio Chavez, CryptoFX, LLC, and CBT Group, LLC (together “Receivership Defendants”). (“Complaint,” Doc. No. 3). The Complaint alleges that Defendants perpetrated a multi-million dollar securities fraud directed at Latino investors. *Id.*

2. On September 29, 2022, upon motion of the SEC, the Court entered an Order Appointing John Lewis, Jr. as Receiver in this matter (“Receivership Order”). (Doc. No. 11). The Receivership Order authorizes the Receiver without further order of this Court to, among other

things, engage and employ professionals. *See* Receivership Order at ¶ 7(f). However, in the interest of transparency, and out of abundance of caution, the Receiver seeks this Court's approval, with notice to all parties of record, including the S.E.C., for leave to employ Pugh Accardo, LLC to serve as the Receiver's local counsel in the State of Louisiana. *See* Receivership Order at ¶ 56.

3. The Receiver seeks permission to employ Pugh Accardo LLC to serve as the Receiver's local counsel in the State of Louisiana to assist him in effectively carrying out his duties under the Receivership Order in that State.

4. Pugh Accardo is a law firm with offices on 1100 Poydras Street, Suite 3600, New Orleans, LA 3600. The attorneys of the firm are in good standing with the State of Louisiana and admitted in all federal districts in Louisiana.

5. The Receiver proposes, with approval of this Court, to compensate Pugh Accardo on an hourly basis. The firm will charge hourly rates of \$350 for partner-level work, specifically including Ernest Foundas as the primary partner contact at the firm, \$225 for work conducted by associates, and \$110 for paralegals.

6. Pugh Accardo does not represent any other party to this case and, based on the information currently available, does not represent any other person or entity with an interest in this matter. A Declaration Pursuant to Order Appointing Receiver signed by Ernest Foundas, partner at Pugh Accardo, is attached as Exhibit "A."

ACCORDINGLY, the Receiver, John Lewis. Jr., requests that the Court enter an order permitting him to retain Pugh Accardo LLC, as set forth herein.

Dated: November 8, 2022

Respectfully submitted,

SHOOK, HARDY & BACON L.L.P.

By: /s/ Sonila Themeli

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Counsel for Court-Appointed Receiver

CERTIFICATE OF CONFERENCE

I hereby certify that on this 8th day of November 2022, I conferred with counsel for the S.E.C. and Mr. Chavez about the relief requested in the foregoing Motion, and both counsel indicated they are unopposed to the Motion.

/s/ Sonila Themeli

Sonila Themeli

CERTIFICATE OF SERVICE

I hereby certify that on this the 8th day of November, 2022, the above and foregoing document was filed electronically through the CM/ECF system, which sent notification of such filing to all known counsel of record, addressed as follows:

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/s/ Sonila Themeli.

Sonila Themeli